

Bordley in his lifetime the said Quantity of five thousand two hund<sup>d</sup> and Seventy Nine pounds of Tob<sup>a</sup> and As to the Quantity of Eleven thousand four Hund<sup>d</sup> and four pounds of Tob<sup>a</sup> the remaining part of the said Sixteen thousand Six Hund<sup>d</sup> and Eighty three pounds of Tobacco he the said Francis Holland Did before the impetration and Exhibition of the writt afores<sup>d</sup> by the said att<sup>ry</sup> Gen<sup>n</sup> ag<sup>t</sup> the said John Stokes as Afs<sup>d</sup> Viz<sup>t</sup>: on the first Day of July in the Year of Our Lord One thousand Seven hund<sup>d</sup> and twenty Six in Baltemore County afs<sup>d</sup> offer unto the said Thomas Bordley in his lifetime the said Eleven thousand four Hund<sup>d</sup> and four Pounds of Tobacco the remaining Part of the said Sixteen thousand Six Hund<sup>d</sup> and Eighty three pounds of Tobacco According to the forme and Effect of the Condition afs<sup>d</sup> Without that That he the Said Francis Holland Did assume Upon himself and to the said Thomas Bordley Did Promise in Manner and form as the said attorney Gen<sup>n</sup> by his replication afs<sup>d</sup> hath alledged to pay to the said Thomas Bordley the said Sixteen thousand Six Hund<sup>d</sup> and Eighty three Pounds of Tobacco And this he the said [835] John is also ready to Verify Wherefore he prays Judgment as before and that the said attorney Gen<sup>n</sup> on Behalf of the Lord Propry the Action afs<sup>d</sup> Against him the Said John from having may be Precluded etc: And the afs<sup>d</sup> Mich<sup>n</sup> Howard his said Lordships attorney General Saith that the plea afs<sup>d</sup> of the said John Stokes in Manner and form afs<sup>d</sup> above by rejoyning pleaded and the matter in the same Contained Are Insufficient in Law him the said Att<sup>ry</sup> Gen<sup>n</sup> to preclude from Maintaining and having the Action afs<sup>d</sup> thereof against him the Said John Stokes to which he the same attorney Gen<sup>n</sup> hath no Need Nor by the Law of the Land is held in Any Sort to Answer and this he is ready to verifie Wherefore for want of a Sufficient rejoynder in this Part he the said attorney Gen<sup>n</sup> Prayeth judgment and the Debt aforesaid Together with Damages Occationed by the Detention of that Debt unto the said Lord Propry to be Adjudged.

And the afs<sup>d</sup> John Stokes for that he hath Above in his rejoynder pleaded alledged Sufficient Matter in Law to Barr the Afs<sup>d</sup> Att<sup>ry</sup> Gen<sup>n</sup> for the said Lord Propry from having his Action Afores<sup>d</sup> against him the said John Stokes which he is ready to veryfie which matter the afs<sup>d</sup> attorney Gen<sup>n</sup> hath not Gaynsaid nor thereunto in Any wise answered But the same to Admitt for true hath altogether refused As before prays Judgment and that the said Att<sup>ry</sup> Gen<sup>n</sup> from his Action Afores<sup>d</sup> for the Said Lord Propry against him the said John Stokes may be Barred etc:

Whereupon all and Singular the Premisses being by the Court here Seen heard and fully Understood and Mature Deliberation thereupon had for that it Seems to the Court here that the afs<sup>d</sup> John Stokes hath Above in his rejoynder Pleaded Alledged Sufficient Matter in Law to Barr the afs<sup>d</sup> attorney Gen<sup>n</sup> for the Said Lord Proprietary from having his Action afores<sup>d</sup> against him the said John Stokes.

Therefore it is Considered by the justices here the 15<sup>th</sup> Day of October